

REMARKS

The Examiner requests that Applicant select one of the following embodiment for prosecution on the merits:

- | | | |
|----------------|---|--------------------|
| Embodiment I | - | Figures 1, 3 and 4 |
| Embodiment II | - | Figure 2 |
| Embodiment III | - | Figure 5 |
| Embodiment IV | - | Figure 6 |

In response to the Election of Species Applicant has elected Embodiment I (Figures 1, 3 and 4) in the above-identified application for examination. Claims 1, 2, 5, 6 and 7 read on the elected embodiment.

The election is made with traverse on the basis of the following as supporting arguments. Each of the embodiments shown in the drawings is linked by the inventive concept of using two or more electrodes of one or more field effect transistors as capacitor plates in an arrangement where the capacitance is dependent on the size of the applied bias. In each of the embodiments shown in the drawings, the device is configured such that when the applied bias is large enough, the transistor channel(s) becomes conducting effectively resulting in substantially increased capacitor plate size and hence increased capacitance. In the devices of Figure 1 and 2, this effective increase in capacitor plate size occurs for one side only, and in the device of Figures 5 and 6, the effective increase occurs for both sides.

The device of Figures 1 and 2 share the common feature that the gate, source and drain electrodes of a field effect transistor are used as capacitor plates. The devices of Figures 5 and 6 share the common feature that the source and drain electrodes of two field effect transistors are used as capacitor plates.

The embodiments in Figures 1, 2, 5 and 6 all fall within the inventive concept of the elected embodiment but each is patentable with respect to the others. However, Applicant reserves all right under 35 U.S.C. § 121 to file a divisional application to the non-elected groups of claims.

Response to Election of Species
Application No. 10/777,677

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

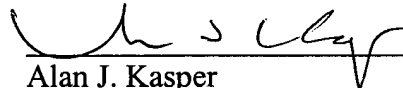
Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER


Alan J. Kasper
Registration No. 25,426

Date: November 17, 2004